

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
AT MARTINSBURG**

LAURA S. LEARY and ELWOOD  
S. LEARY, II,

Plaintiffs,

v.

CIVIL ACTION NO. 3:07CV153

JAMES E. ROGERS, JR.; BOY SCOUTS OF  
AMERICA, NATIONAL COUNCIL, not-for-profit  
corporation; and BALTIMORE AREA COUNCIL  
BOY SCOUTS OF AMERICA, INCORPORATED,  
a division of the Boy Scouts of America, a not-for-profit  
corporation,

Defendants,

**ORDER DISMISSING DEFENDANTS  
BOY SCOUTS OF AMERICA, NATIONAL COUNCIL, AND  
BALTIMORE AREA COUNCIL BOY SCOUTS OF AMERICA, INCORPORATED**

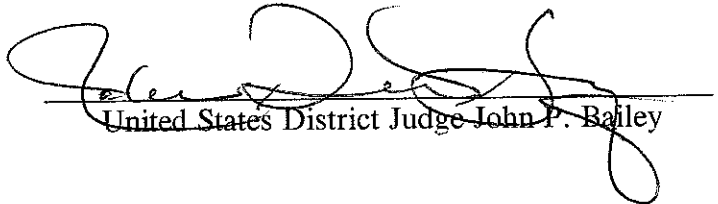
This day came Plaintiffs by their counsel, James B. Lees, Jr. of Hunt and Lees, and Defendants, Boy Scouts of America, National Council, and Baltimore Area Council Boy Scouts of America, Incorporated, by their counsel, Fred Adkins of Huddleston Bolen, LLP. Plaintiffs' counsel represented to the Court that further investigation into the incident involved in this matter revealed that Defendants Boy Scouts of America, National Council, and Baltimore Area Council Boy Scouts of America, Incorporated, were not involved. Accordingly, Plaintiffs, through their counsel, request the Court to dismiss Defendants Boy Scouts of America, National Council, and Baltimore Area Council Boy Scouts of America, Incorporated. The case is to remain pending against Defendant James E. Rogers, Jr.

Upon representation by Plaintiff's counsel that Defendants Boy Scouts of America, National Council, and Baltimore Area Council Boy Scouts of America, Incorporated were not involved in the incident, the Court grants Plaintiff's request.


Accordingly, Defendants Boy Scouts of America, National Council, and Baltimore Area Council Boy Scouts of America, Incorporated are **DISMISSED**. This case is to remain **PENDING** against Defendant James E. Rogers, Jr.

**SO ORDERED.**

ENTER: This 22<sup>nd</sup> day of February 2008.

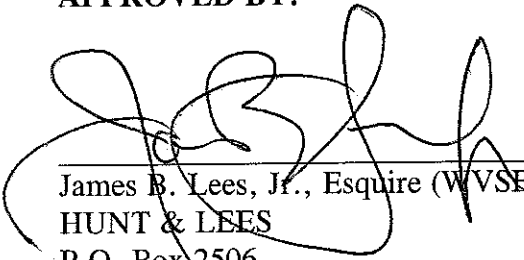
  
United States District Judge John P. Bailey

**PREPARED BY:**

  
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*Counsel for Defendants,  
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Baltimore Area Council Boys Scouts of America, Incorporated*

**APPROVED BY:**

  
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Laura S. Leary and Elwood S. Leary, II*